

Serial No.: 08/167,846
Group-Art Unit No.: 1201

~~the~~ A pharmaceutical composition comprising a compound of ~~formula (1)~~ according to claim 4, or a physiologically acceptable salt thereof and a physiologically acceptable carrier.--

REMARKS

This Amendment is made in response to the Official Action mailed October 13, 1994. A request for a one-month extension of time accompanies this Amendment. Claims 11 to 28 have been canceled without prejudice to their further prosecution in one or more continuation or divisional applications. New claims 29 to 51 have been added. Accordingly, claims 29 to 51 are now pending in this application. Reconsideration and withdrawal of the rejections of and objections to this application are respectfully requested in view of the above amendments, and further, in view of the following remarks.

Claims 11 to 28 have been rejected for various reasons under 35 U.S.C. §112, first and second paragraphs. Since these claims have been canceled without prejudice, it is submitted that the rejections are moot. Reconsideration and withdrawal of the rejections are, therefore, requested.

New claims 29 to 51 have been added in order to facilitate prosecution of this application. Claims 29 to 51 are directed to various specific compound, method and pharmaceutical composition embodiments of this invention. Support for the addition of new claims 29 to 51 can be found in the specification and claims as originally filed, specifically at page 2, lines 14 to 22; page 4, lines 11 to 24; and in Examples 2, 24, 25 and 28.

Applicants note that an Information Disclosure Statement ("IDS") was filed in this case on December 23, 1993. Filed with the IDS was a duplicate copy of form PTO-1449 which listed documents considered relevant under 37 C.F.R. §1.56, along with a request that the copy be appropriately initialed by the Examiner and forwarded to Applicants' attorney as an indication that the documents cited were considered and made of record in this application. It appears that this has not been done. Therefore, Applicants take this opportunity to respectfully request that the Examiner consider the documents cited in the IDS. In addition, Applicants take this opportunity to call to the Examiner's attention U.S. Patent 4,257,952, issued March 24, 1981 to Mooradian, which is believed to be of particular relevance to the subject matter of this invention.

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In view of the foregoing, favorable consideration of new claims 29 to 51 and allowance of this application are earnestly solicited.

Respectfully submitted,

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